

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 59th LEGISLATURE - REGULAR SESSION

COMMITTEE ON BUSINESS AND LABOR

Call to Order: By **CHAIRMAN JIM KEANE**, on January 26, 2005 at 8:00 A.M., in Room 172 Capitol.

ROLL CALL

Members Present:

Rep. Jim Keane, Chairman (D)
Rep. Kathleen Galvin-Halcro, Vice Chairman (D)
Rep. Joe McKenney, Vice Chairman (R)
Rep. Elsie Arntzen (R)
Rep. Bob Bergren (D)
Rep. Tim Dowell (D)
Rep. Kevin T. Furey (D)
Rep. Dave Gallik (D)
Rep. Ralph Heinert (R)
Rep. Llew Jones (R)
Rep. Mike Jopek (D)
Rep. Harry Klock (R)
Rep. Scott Mendenhall (R)
Rep. Mike Milburn (R)
Rep. Don Roberts (R)
Rep. Wayne Stahl (R)
Rep. Dan Villa (D)
Rep. Jonathan Windy Boy (D)

Members Excused: None.

Members Absent: None.

Staff Present: Bart Campbell, Legislative Branch
Kyanne Kelly, Committee Secretary

Audio Committees: These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

Committee Business Summary:

Hearing & Date Posted: HB 357, 1/19/2005; HB 322,
1/19/2005; HB 344, 1/19/2005; HB
381, 1/19/2005; HB 382, 1/19/2005
Executive Action: HB 71

HEARING ON HB 357

Opening Statement by Sponsor:

REP. ART NOONAN (D), HD 73, opened the hearing on **HB 357**, Require internet sales companies to maintain registered agent in Montana.
00:03:04

Proponents' Testimony: None

Opponents' Testimony: None

Informational Testimony:

00:07:37 Elwood English, Secretary of State

Questions from Committee Members and Responses:

00:09:37

Closing by Sponsor:

00:19:23

HEARING ON HB 322

Opening Statement by Sponsor:

REP. ROGER KOOPMAN (R), HD 70, opened the hearing on **HB 322**, Regulate automotive event data recorders.
00:20:49

[EXHIBIT](#)(buh20a01)

[EXHIBIT](#)(buh20a02)

Proponents' Testimony:

00:30:13 Gary Marbut, Self
00:34:54 Bob Davies, Self
00:37:38 Douglas Nulle, Self

Opponents' Testimony:

00:38:34 Mike Tooley, Montana Highway Patrol
00:42:53 Chris Gadzia, Dealer, Owner Grimes Motors

00:44:57 Mona Jamison, General Motors

[EXHIBIT\(buh20a03\)](#)

00:51:10 Bob DuPratu, Owner of Dealership in Whitefish

00:54:57 Bruce Spencer, Montana Automobile Association

[EXHIBIT\(buh20a04\)](#)

[EXHIBIT\(buh20a05\)](#)

00:55:36 Kris Bakke, Independent Automobile Association

Informational Testimony:

00:56:15 Al Smith, Montana Trial Lawyers Association

Questions from Committee Members and Responses:

00:58:05

Closing by Sponsor:

01:21:04

HEARING ON HB 344

Opening Statement by Sponsor:

REP. DAVE GALLIK (D), HD 79, opened the hearing on HB 344,
Prohibit family member exclusions from vehicle liability
policies.

01:39:29 _____

Proponents' Testimony:

01:45:59 Jed Fitch, Montana Trial Lawyers Association

Opponents' Testimony:

01:49:42 Jacqueline Lenmark, American Insurance Association

01:55:47 Greg Van Horrsen, State Farm Insurance Company

01:58:11 Roger McGlenn, Independent Insurance Agents

02:02:43 Dwight Easton, Farmers Insurance Group

02:04:02 Larry Kibbee, Property and Casualty Agents of
American

Informational Testimony: None

Questions from Committee Members and Responses:

02:05:04

Closing by Sponsor:

02:07:59

HEARING ON HB 381

Opening Statement by Sponsor:

REP. TIM CALLAHAN (D), HD 21, opened the hearing on **HB 381**,
Revise work comp mediation attendance requirements.
02:09:27

Proponents' Testimony:

02:11:48 Norm Newhall, Attorney in Great Falls
02:16:48 George Wood, Montana Self Insurer's Association
02:17:25 Jacqueline Lenmark, American Insurance Association
02:18:40 Nancy Butler, State Fund
02:18:55 Bob Worthington, Municipal Insurance Association
02:19:18 Barbara Ranf, Chamber of Commerce
02:19:35 Aidan Myhre, Employer's Insurance Group
02:20:04 Jason Miller, United Brotherhood of Carpenters
02:20:50 Don Judge, Teamsters local 190
02:21:32 Jed Fitch, Montana Trial Lawyers

Opponents' Testimony: None

Informational Testimony:

02:22:10 Kevin Braun, Department of Labor and Industry
[EXHIBIT \(buh20a06\)](#)

Questions from Committee Members and Responses:

02:22:49

Closing by Sponsor:

02:23:43

HEARING ON HB 382

Opening Statement by Sponsor:

REP. TIM CALLAHAN (D), HD 21, opened the hearing on **HB 382**,
Injured worker choice for rehabilitation services.
02:24:39

Proponents' Testimony:

02:26:08 Norm Newhall, Attorney in Great Falls
[EXHIBIT \(buh20a07\)](#)
02:32:21 Jed Fitch, Montana Trial Lawyer's Association
02:35:35 Don Judge, Teamsters Union 190

Opponents' Testimony:

02:38:53 Douglas Nulle, Self
02:40:57 George Wood, Self Insurer's Association
02:43:43 Nancy Butler, State Fund
02:45:19 Shawn Bubb, Montana School Boards Association
02:48:00 Larry Kibbee, Property and Casualty Insurers
02:49:27 Jacqueline Lenmark, American Insurance Association
02:50:47 Bob Worthington, Municipal Insurance Association
02:51:46 Barbara Ranf, Chamber of Commerce
02:52:10 John Fitzpatrick, Northwestern Energy

Informational Testimony:

02:52:42 Kevin Braun, Department of Labor and Industry

Questions from Committee Members and Responses:

02:53:07

Closing by Sponsor:

03:07:41

EXECUTIVE ACTION ON HB 71

Motion: REP. GALLIK moved that HB 71 DO PASS.

Discussion:

03:12:01

[EXHIBIT](#)(buh20a08)

Motion: REP. KLOCK moved that HB 71 BE AMENDED.

Discussion:

03:14:45

Vote: Motion carried 13-5 with REPS. GALLIK, GALVIN-HALCRO, JOPEK, STAHL, and VILLA voting no by voice vote.

Motion: REP. MCKENNEY moved that HB 71 DO PASS AS AMENDED.

Discussion:

03:20:50

Vote: Motion failed 6-12 by roll call vote with REPS. JONES, KLOCK, MCKENNEY, MENDENHALL, MILBURN, and ROBERTS voting aye.

Motion/Vote: REP. GALVIN-HALCRO moved, without objection, that HB 17 BE TABLED AND THE VOTE REVERSED. Motion carried 12-6 by voice vote.

ADJOURNMENT

Adjournment: 11:25 A.M.

REP. JIM KEANE, Chairman

KYANNE KELLY, Secretary

JK/KK

Additional Exhibits:

EXHIBIT ([buh20aad0.PDF](#))